

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MIRROR WORLDS, LLC,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Civil Action No. 6:08-CV-88 LED

JURY TRIAL DEMANDED

APPLE, INC.,

Counterclaim Plaintiff,

v.

MIRROR WORLDS, LLC, MIRROR
WORLDS, TECHNOLOGIES, INC.,

Counterclaim Defendants.

**MIRROR WORLDS, LLC'S NOTICE OF DISMISSAL
WITH PREJUDICE OF CERTAIN INFRINGEMENT CLAIMS**

Plaintiff Mirror Worlds, LLC ("Mirror Worlds") advises the Court that it agrees to the dismissal with prejudice of the following claims against the following present¹ and past accused instrumentalities:

1. Mirror Worlds agrees to the dismissal with prejudice of its claims that Apple directly and/or indirectly infringed or infringes claims 13-17 and 20 of U.S. Patent No. 6,006,227 by

¹ "present" refers to availability at the close of discovery.

making, using, selling and/or offering to sell the iPhone containing the iPhone OS 3.0 or earlier versions of that operating system.

2. Mirror Worlds agrees to the dismissal with prejudice of its claims that Apple directly and/or indirectly infringed or infringes claims 22, 25, 26, 29, 32, 34, and 37 of U.S. Patent No. 6,725,427 ("the '427 patent") by making, using, selling and/or offering to sell present and past versions of the iPhone, iPod Touch, iPod Nano, iPod Classic or iPad.

3. Mirror Worlds agrees to the dismissal with prejudice of its claims that Apple directly and/or indirectly infringes claims 22, 25, 26, 29 and 37 of the '427 patent by making, using, selling and/or offering to sell computers having past or present versions of iTunes, except that Mirror Worlds does not withdraw its claims regarding those claims to the extent that iTunes is running on an Apple computer using an accused Mac OS X operating system (i.e., Tiger, Leopard and Snow Leopard).

4. Mirror Worlds agrees to the dismissal with prejudice of its claims that Apple directly and/or indirectly infringes claims 22, 25, 26, 29, 34, and 37 of the '427 patent by making, using, selling and/or offering to sell computers having past or present versions of Safari 4, except that Mirror Worlds does not withdraw its claims regarding those claims to the extent that Safari 4 is running on an Apple computer using an accused Mac OS X operating system (i.e., Tiger, Leopard and Snow Leopard).

5. Mirror Worlds agrees to the dismissal with prejudice of its claims that Apple directly and/or indirectly infringes any claim of the '427 patent by making, using, selling and/or offering to past or present versions of Apple TV.

Mirror Worlds agrees to the dismissal of the above claims with prejudice only as to present and past versions of the accused instrumentalities as described in the discovery provided

on those instrumentalities by Apple. Mirror Worlds reserves the right to assert infringement should the above instrumentalities be modified to include the patented technology.

Dated: September 1, 2010

Respectfully submitted,

By: /s/ Alexander Solo

Otis Carroll, *Lead Counsel*
(Texas State Bar No. 03895700)
Deborah Race (Texas State Bar No. 16448700)
IRELAND CARROLL & KELLEY, P.C.
6101 S. Broadway, Suite 500
Tyler, Texas 75703
Tel: (903) 561-1600
Fax: (903) 581-1071
Email: Fedserv@icklaw.com

Joseph Diamante (*Pro Hac Vice*)
Kenneth L. Stein (*Pro Hac Vice*)
Ian G. DiBernardo (*Pro Hac Vice*)
Alexander Solo (*Pro Hac Vice*)
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, N.Y. 10038
Tel: (212) 806-5400
Email: asolo@stroock.com

ATTORNEYS FOR PLAINTIFF MIRROR
WORLDS LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document this 1st day of September, 2010, via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Alexander Solo